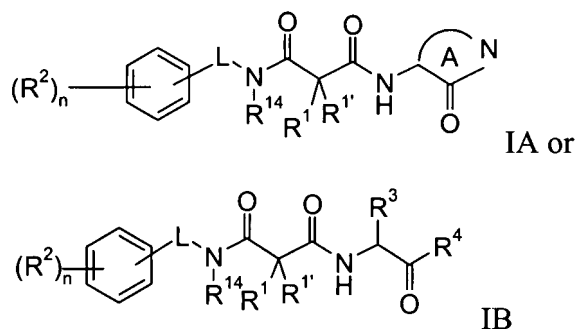
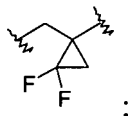


# CLAIM AMENDMENTS

1. (Previously presented) A compound of formula



wherein



L is a bond,  $-(CH_2)_m-$ ,  $-CH(CH_3)-$ , or is

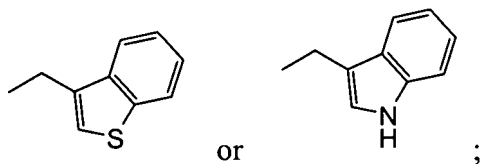
$R^1$  and  $R^{1'}$  are the same or different and are hydrogen, lower alkyl, halogen, benzyl or lower alkenyl;

each  $R^2$  is independently selected from the group consisting of hydrogen, hydroxy, halogen, lower alkyl, lower alkoxy and trifluoromethyl;

$R^3$  - is phenyl or benzyl, each of which is unsubstituted or substituted by one or two substituents selected from the group consisting of halogen and cyano, or is

- lower alkyl,
- two hydrogen atoms,
- $-(CH_2)_m-S$ -lower alkyl,
- $-(CH_2)_m$ -cycloalkyl,
- $-(CH_2)_m-OH$ ,

- CH<sub>2</sub>OCH<sub>2</sub>-phenyl,



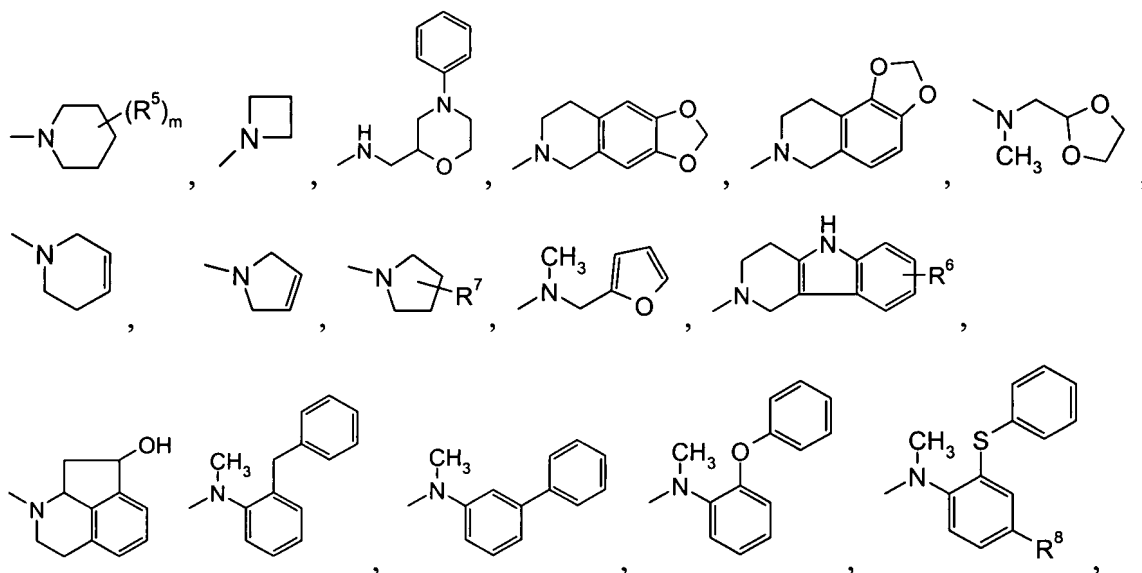
R<sup>4</sup> is lower alkoxy,

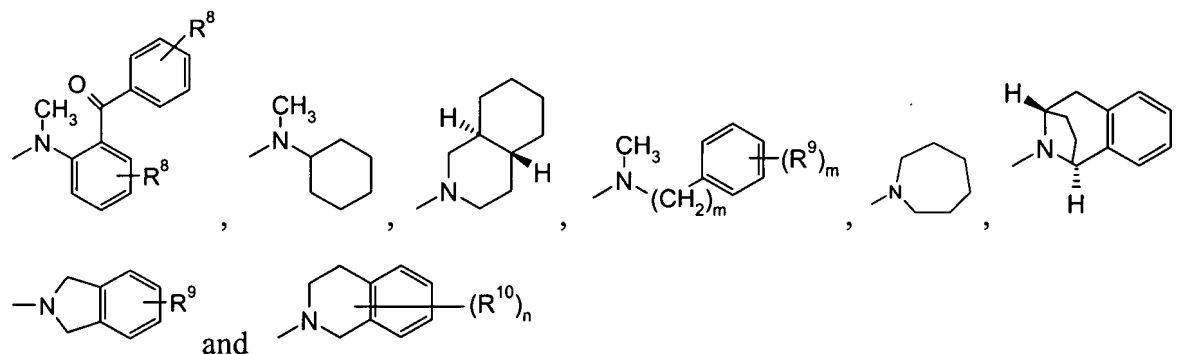
- mono-or dialkyl amino,

- N(CH<sub>3</sub>)(CH<sub>2</sub>)<sub>m</sub>-C≡CH,

or is a mono-, di or tricyclic group, unsubstituted or substituted by R<sup>5</sup> to R<sup>10</sup>, and which groups can be linked by -N(CH<sub>3</sub>)(CH<sub>2</sub>)<sub>o</sub>, to the -C(O)-group in

formula IB, selected from the group consisting of





wherein

each  $R^5$  is independently selected from the group consisting of hydrogen, halogen, lower alkyl and  $-(CH_2)_mOH$ ;

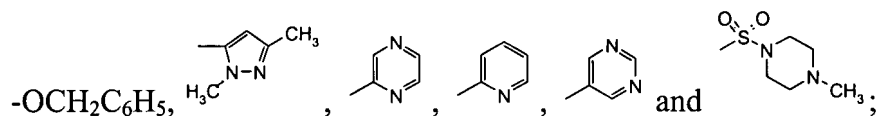
$R^6$  is hydrogen, halogen or lower alkoxy;

$R^7$  is hydrogen or  $-CH_2OCH_3$ ;

$R^8$  is hydrogen or halogen;

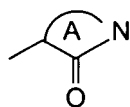
$R^9$  is hydrogen, lower alkoxy, lower alkyl or amino;

each  $R^{10}$  is independently selected from the group consisting of hydrogen, lower alkyl, lower alkoxy, lower cycloalkyl, halogen, hydroxy,  $=O$ , amino, nitro,  $-CH_2CN$ ,

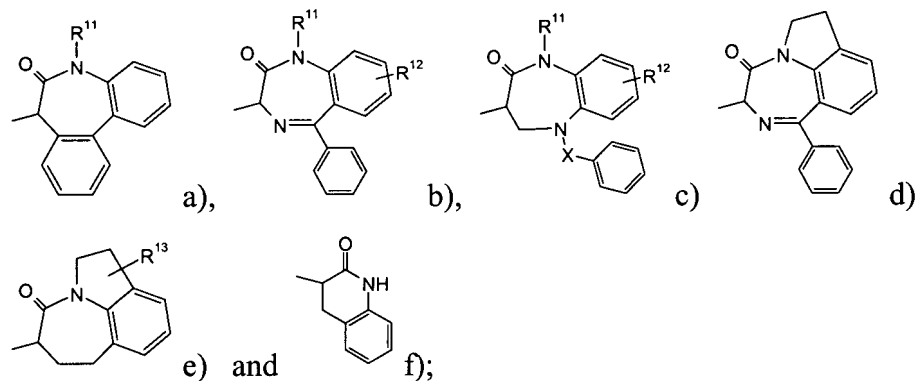


$m$  is 1 or 2;

$n$  is 1, 2 or 3;



is selected from the group consisting of

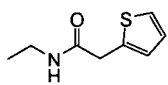
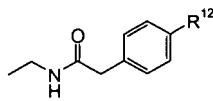


wherein

X is  $-\text{CH}_2-$ ,  $-\text{S}(\text{O})_2-$  or  $-\text{C}(\text{O})-$ ;

$\text{R}^{11}$  is hydrogen or lower alkyl;

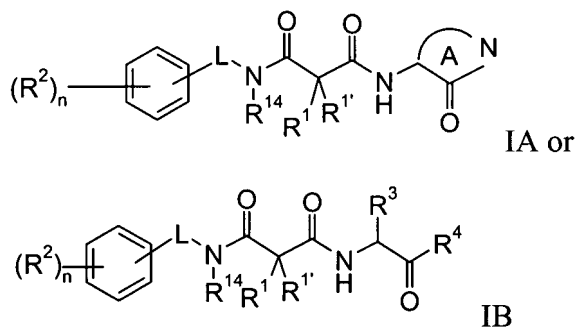
$\text{R}^{12}$  is hydrogen or halogen;

$\text{R}^{13}$  is hydrogen, CN, hydroxy,  $-\text{C}(\text{O})\text{NH}_2$ ,  or  ;

$\text{R}^{14}$  is hydrogen, lower alkyl,  $-(\text{CH}_2)_2\text{OH}$  or  $-(\text{CH}_2)_2\text{CN}$ ;

or a pharmaceutically acceptable acid addition salt thereof.

2. (Previously presented) A compound of formula



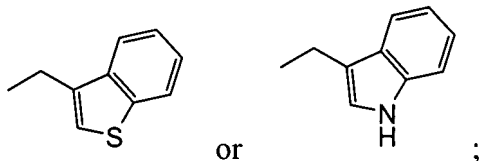
wherein

$R^1$  and  $R^{1'}$  are the same or different and are hydrogen, lower alkyl, halogen, benzyl or lower alkenyl;

each  $R^2$  is independently selected from the group consisting of hydrogen, halogen, lower alkyl, lower alkoxy and trifluoromethyl;

$R^3$  is phenyl or benzyl, each of which is unsubstituted or substituted by one or two substituents selected from the group consisting of halogen and cyano, or is

- lower alkyl,
- two hydrogen atoms,
- (CH<sub>2</sub>)<sub>m</sub>-S-lower alkyl,
- (CH<sub>2</sub>)<sub>m</sub>-cycloalkyl,
- (CH<sub>2</sub>)<sub>m</sub>-OH,
- CH<sub>2</sub>OCH<sub>2</sub>-phenyl,

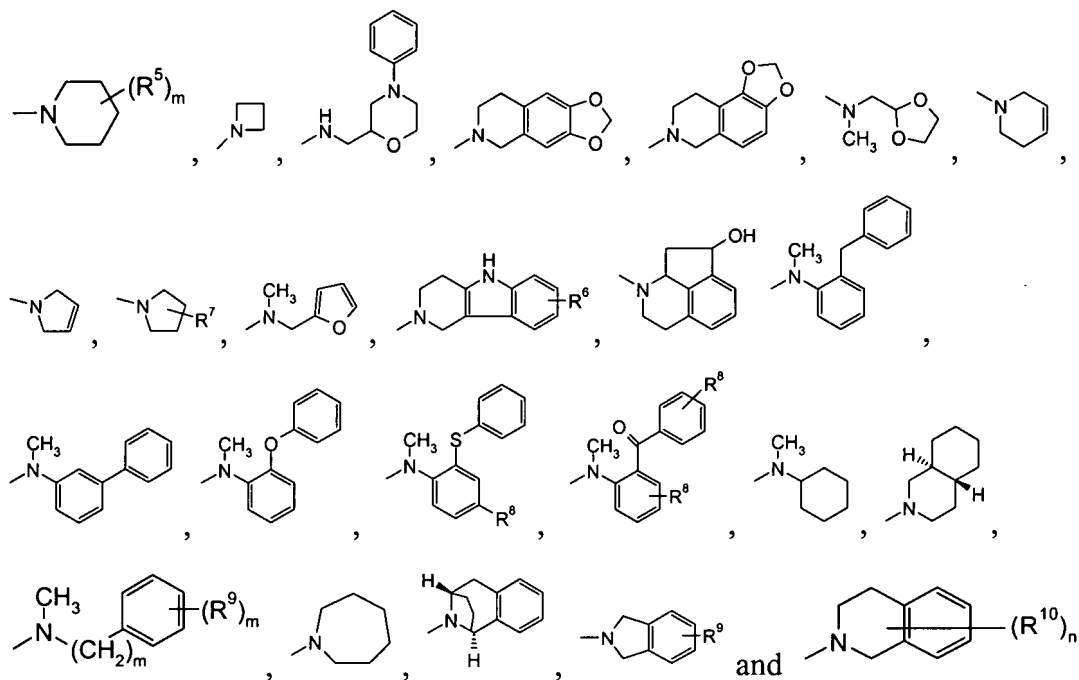


$R^4$  is lower alkoxy,

- mono-or dialkyl amino,
- N(CH<sub>3</sub>)(CH<sub>2</sub>)<sub>m</sub>-C≡CH,

or is a mono-, di or tricyclic group, unsubstituted or substituted by  $R^5$  to  $R^{10}$ , and which groups can be linked by -N(CH<sub>3</sub>)(CH<sub>2</sub>)<sub>o</sub> to the -C(O)-group in formula

IB, selected from the group consisting of



wherein

each  $R^5$  is independently selected from the group consisting of hydrogen,

halogen, lower alkyl and  $-(CH_2)_mOH$ ;

$R^6$  is hydrogen, halogen or lower alkoxy;

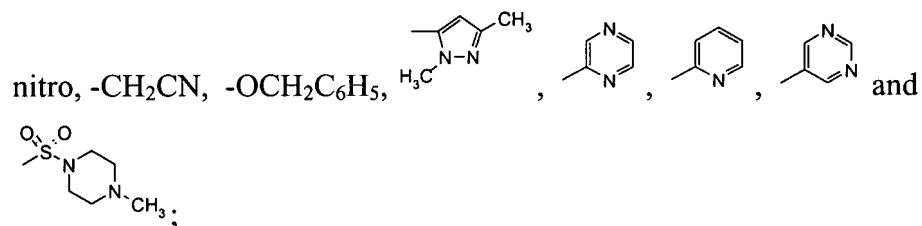
$R^7$  is hydrogen or  $-CH_2OCH_3$ ;

$R^8$  is hydrogen or halogen;

$R^9$  is hydrogen, lower alkoxy, lower alkyl or amino;

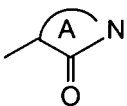
each  $R^{10}$  is independently selected from the group consisting of hydrogen,

lower alkyl, lower alkoxy, lower cycloalkyl, halogen, hydroxy,  $=O$ , amino,

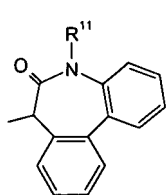


m is 1 or 2;

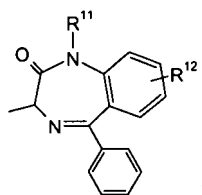
n is 1, 2 or 3;



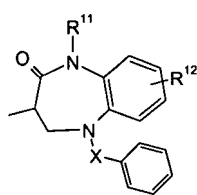
is selected from the group consisting of



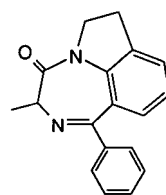
a),



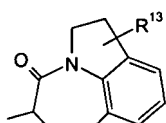
b),



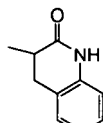
c)



d)



e) and



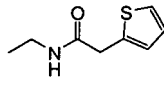
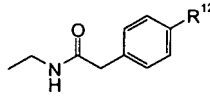
f);

wherein

X is  $-\text{CH}_2-$ ,  $-\text{S}(\text{O})_2-$  or  $-\text{C}(\text{O})-$ ;

$\text{R}^{11}$  is hydrogen or lower alkyl;

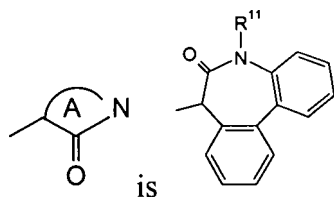
$\text{R}^{12}$  is hydrogen or halogen;

$\text{R}^{13}$  is hydrogen, CN, hydroxy,  $-\text{C}(\text{O})\text{NH}_2$ ,  or  ;

or a pharmaceutically acceptable acid addition salt thereof.

3. (Original) A compound of formula IA in accordance with claim 1.

4. (Original) A compound of formula IA in accordance with claim 3, wherein



5. (Canceled)

6. (Currently Amended) A compound in accordance with claim 1 selected from the group consisting of

N-(3,5-difluoro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(3,5-difluoro-benzyl)-2-fluoro-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(3,5-difluoro-benzyl)-2-isopropyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(3,5-difluoro-benzyl)-2-ethyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(3,5-difluoro-benzyl)-2-fluoro-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(3,5-difluoro-benzyl)-2,2-dimethyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(3,5-difluoro-benzyl)-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-2-propyl-malonamide,

N-benzyl-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,



Serial No. 10/767,784  
Filed: January 29, 2004

N-(4-fluoro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(4-chloro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(3-fluoro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

N-(2,5-difluoro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

2-methyl-N-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-N'-(2,3,5-trifluoro-benzyl)-malonamide,

N-(2-fluoro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide,

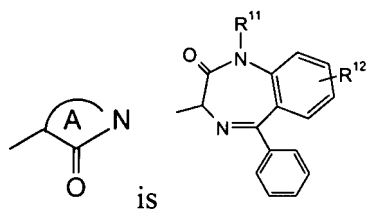
N-(2-chloro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide and

N-(3-chloro-benzyl)-2-methyl-N'-(5-methyl-6-oxo-6,7-dihydro-5H-dibenzo[b,d]azepin-7-yl)-malonamide.

7. (Canceled)

8. (Canceled)

9. (Original) A compound of formula IA in accordance with claim 3 wherein



10. (Original) A compound in accordance with claim 9, selected from the group consisting of

N-(3,5-difluoro-benzyl)-2-methyl-N'-(1-methyl-2-oxo-5-phenyl-2,3-dihydro-1H-benzo[e][1,4]diazepin-3-yl)-malonamide,

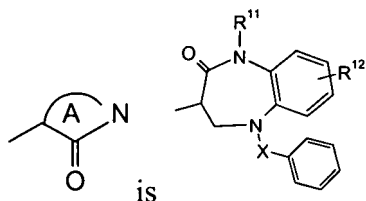
N-(3,5-difluoro-benzyl)-2-fluoro-2-methyl-N'-(1-methyl-2-oxo-5-phenyl-2,3-dihydro-1H-benzo[e][1,4]diazepin-3-yl)-malonamide,

N-(3,5-difluoro-benzyl)-N'-(1-methyl-2-oxo-5-phenyl-2,3-dihydro-1H-benzo[e][1,4]diazepin-3-yl)-2-propyl-malonamide,

N-(3,5-difluoro-benzyl)-2-ethyl-N'-(1-methyl-2-oxo-5-phenyl-2,3-dihydro-1H-benzo[e][1,4]diazepin-3-yl)-malonamide and

N-(4-chloro-benzyl)-2-methyl-N'-(1-methyl-2-oxo-5-phenyl-2,3-dihydro-1H-benzo[e][1,4]diazepin-3-yl)-malonamide.

11. (Original) A compound of formula IA in accordance with claim 3, wherein



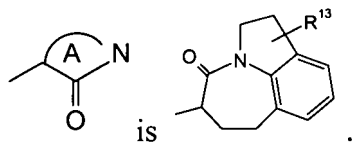
12. (Original) A compound in accordance with claim 11, selected from the group consisting of

N-(5-benzyl-1-methyl-2-oxo-2,3,4,5-tetrahydro-1H-benzo[b][1,4]diazepin-3-yl)-N'-(3,5-difluoro-benzyl)-2-methyl-malonamide,

N-(5-benzenesulfonyl-1-methyl-2-oxo-2,3,4,5-tetrahydro-1H-benzo[b][1,4]diazepin-3-yl)-N'-(3,5-difluoro-benzyl)-2-methyl-malonamide and

N-(5-benzoyl-1-methyl-2-oxo-2,3,4,5-tetrahydro-1H-benzo[b][1,4]diazepin-3-yl)-N'-(3,5-difluoro-benzyl)-2-methyl-malonamide.

13. (Original) A compound of formula IA in accordance with claim 3, wherein



14. (Original) A compound in accordance with claim 13, selected from the group consisting of

(2S-cis)-N-(3,5-difluoro-benzyl)-2-methyl-N'-{4-oxo-2-[(2-thiophen-2-yl-acetylamino)-(2R,S)-methyl]-1,2,4,5,6,7-hexahydro-azepino[3,2,1-hi]indol-5-yl}-malonamide and

(2S-cis)-N-(3,5-difluoro-benzyl)-N'-(2-{[2-(4-fluoro-phenyl)-acetylamino]-methyl}-4-oxo-1,2,4,5,6,7-hexahydro-azepino[3,2,1-hi]indol-5-yl)-2,2-dimethyl-malonamide.

15. (Original) A compound of formula IB in accordance with claim 1.

16. (Original) A compound of formula IB in accordance with claim 2.

17. (Original) A compound in accordance with claim 1 , wherein at least one  $R^2$  is fluoro.

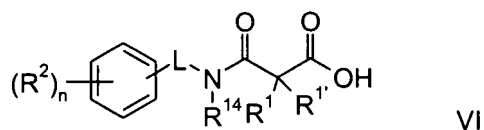
18. (Original) A composition comprising a compound of claim 1 and a pharmaceutically acceptable carrier.

19. (Original) A composition comprising a compound of claim 2 and a pharmaceutically acceptable carrier.

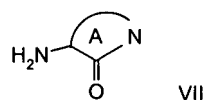
20. (Canceled)

21. (Canceled)

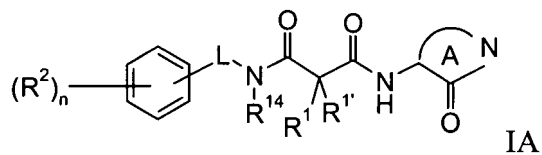
22. (Previously presented) A process for preparing a compound of formula IA as defined in claim 1 which process comprises reacting a compound of formula



with a compound of formula

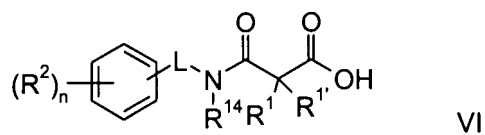


to produce a compound of formula

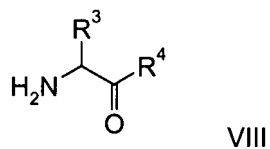


wherein the substituents are defined in claim 1.

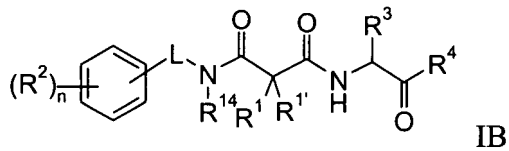
23. (Previously presented) A process for preparing a compound of formula IB as defined in claim 1 which process comprises  
reacting a compound of formula



with a compound of formula

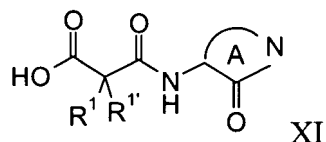


to produce a compound of formula

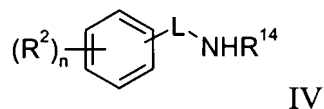


wherein the substituents are defined in claim 1.

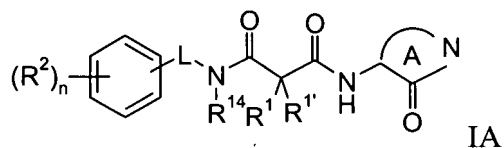
24. (Previously presented) A process for preparing a compound of formula IA as defined in claim 1 which process comprises reacting a compound of formula



with a compound of formula



to produce a compound of formula



wherein the substituents are defined in claim 1.